

Truth Could Be Elusive in a New Trial for Ray

GREAT TRAGEDIES are the hardest to get over.

When a notable man or woman is slain, when a host of innocents perish before their time, the pain burns for years. Even when the cause is determined, it doesn't seem quite enough. When the identified villain happens to be a single actor, we figure there must be more to it than that. Because the loss was so great, so, too, must be the scheme that caused it.

These days there's a clamor for a trial for James Earl Ray, who's been in prison almost 30 years for murdering the Rev. Martin Luther King Jr. Ray confessed early on, but for years he's been claiming he didn't do it, that he was a pawn of a mysterious man named Raoul. Now, because he's terminally ill, Ray's lawyers and family are pressing for a new trial that, they say, could clear his name.

The bizarre thing is that King's family has joined in asking for a trial. King's son, Dexter, says his family has lived too long with the pain of not knowing if the real killer or killers came to justice.



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The idea that King's murder was part of a conspiracy is tempting. The idea that a lone bigot could have pulled it off seems to trivialize King's death. Moreover, blacks are no strangers to real conspiracies — by southern lawmakers and all-white juries, criminal courts, lynch mobs, labor unions, political parties, corporate executives, politicians, real-estate agencies — to keep blacks in their place and deprive them of justice.

Tennessee Judge Joseph Brown has ruled that new technology exists to test the alleged murder weapon and that it might prove whether the bullet that killed King came from Ray's rifle. So, test the gun, no problem. But, unless that turns up striking new evidence, a trial for James Earl Ray is a pipe dream. It's become a symbol for getting long-overdue justice, while in reality it would do nothing of the kind. First, you don't hold a trial in the hope that it will unearth new evidence; you hold a trial because you already have new evidence that exonerates Ray or you have a new suspect.

Second, a criminal trial isn't the best way to search for the truth. A trial is an adversarial hearing, in which each side tries to "win." Rules of evidence can keep valuable information out of the trial, while constitutional guarantees, like the right against self-incrimination, protect the accused from testifying. All these serve, at times, to

obscure the truth, not to heighten it.

Ray's goal in pursuing a new trial is not to bring out the truth, but to clear his name and get out of jail. Without new evidence pointing to a different killer or killers, a trial would serve only to let Ray's lawyers make innuendos about conspiracies and guys named Raoul without producing proof. It would be like O. J. Simpson's lawyers accusing Colombian drug dealers of being the "real killers."

If mystery remains about the King slaying, the key lies with Ray himself. If he has facts about Raoul, or any other conspirators, he is free to tell it to the authorities, so they can investigate. Nothing stops him from doing that, except the knowledge of his own guilt and perhaps the knowledge of his friends and family members. If, as his lawyer claims, they know where Raoul lives, then they should produce an address.

I sympathize with the pain of King's survivors and with their need to know for certain whether Martin Luther King's death was the result of something other than Ray's bigotry. But it's unfortunate that they've fixed on the idea of a trial for Ray as the way to bring that about.

As for Ray, if he wants justice done, he can do it without a trial. Let him tell what he knows before his time runs out. No one has kept him from talking these last 28 years — no one except himself.